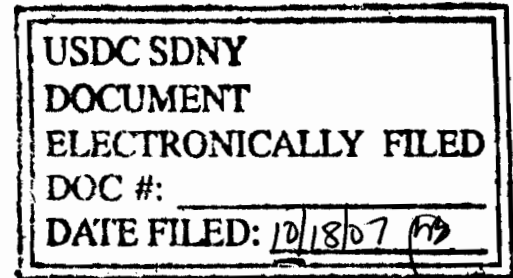


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October 17, 2007

**TELEFAX: (212)805-7924**

Honorable Sidney H. Stein  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**JOINT APPLICATION**

Re: Vigilant Ins. v. Bax Global,  
07 Civ. 3373(SHS)  
Our Ref.: 6C-1365

Dear Judge Stein:

I represent the plaintiff in this action which involves a claim for damage to a shipment of Lipitor which moved from Puerto Rico to Australia. The present discovery deadline is October 26, 2007. Counsel join in respectfully requesting permission to conduct discovery up to and including December 14, 2007. This is not a complicated case. However, unanticipated delays have been encountered by plaintiff with respect to attempts to obtain documents and information from foreign third-parties to address an affirmative defense asserted by defendants. Counsel believe that once the affirmative defense is addressed, it should be possible to reach a resolution of the claim one way or the other. This is the first request for an extension of the discovery deadline. Counsel also respectfully request that the October 26, 2007 conference be rescheduled on a parallel basis. The Court's attention and indulgence will be appreciated.

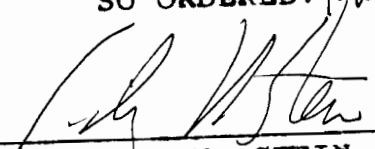
Respectfully,

  
David L. Mazaroli  
dlm@mazarolilaw.com

*Oct 26 w/6  
rescheduled to  
Dec 1st 10 AM*

cc: DeOrchis Weiner & Partners  
Attn.: Richard Furman, Esq. (RFurman@marinelex.com)

SO ORDERED 10/18/07

  
SIDNEY H. STEIN  
U.S.D.J.